

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS A. SIMONIAN)	
)	
Plaintiff,)	Civil Action No. 1:10-cv-01225
)	
v.)	Hon. William J. Hibbler
)	
FISKARS BRANDS, INC.)	
)	
Defendant.)	
)	

NOTICE OF SUPPLEMENTAL AUTHORITY

Thomas A. Simonian, as *qui tam* relator ("Relator"), respectfully submits the attached supplemental authority in support of his Response to the Motion to Dismiss filed by Defendant Fiskars Brands, Inc.

With regard to the issue of whether the Relator has standing to bring this false marking claim, the Relator cites the Court to the following decision:

1. The Federal Circuit's opinion in *Stauffer v. Brooks Brothers, Inc. et al.* where the Court held that private non-competing relators like Mr. Simonian have standing to bring false marking claims under 35 U.S.C. §292, attached as **Exhibit A**. ("Because the government would have standing to enforce its own law, Stauffer, as the government's assignee, also has standing to enforce section 292.")

Dated: September 20, 2010

Respectfully submitted,

THOMAS A. SIMONIAN, as Relator

/s/ John Bjork

John Bjork

Additional Attorneys for Relator

Joseph M. Vanek
John Paul Bjork
VANEK, VICKERS & MASINI, P.C.
111 S. Wacker Drive, Suite 4050
Chicago, Illinois 60606

Martin Goering
Jessica E. Rissman
EUGENE M. CUMMINGS, P.C.
One North Wacker Drive, Suite 4130
Chicago, Illinois 60606

Bruce S. Sperling
Robert D. Cheifetz
SPERLING & SLATER, P.C.
55 West Monroe Street, Suite 3200
Chicago, Illinois 60603

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on September 20, 2010 a true and correct copy of **RELATOR'S NOTICE OF SUPPLEMENTAL AUTHORITY** was filed electronically with the Clerk of the Court and was served via the Court's CM/ECF System which will automatically provide electronic notice upon all counsel of record.

s/ John Bjork

John Bjork